

**United States Department of the Interior
Bureau of Land Management**

**Environmental Assessment
for the Commercial River Special Recreation Permits**

Kremmling Field Office
2103 East Park Ave
Kremmling, Colorado 80459

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CHAPTER 1 - INTRODUCTION

1.1 IDENTIFYING INFORMATION

BACKGROUND: This Environmental Assessment (EA) has been prepared by the Bureau of Land Management (BLM) to analyze public demand for services provided by commercial outfitters and guides related to river operations including: floatboating, fishing, shuttle services, and photography. Currently, 59 permittees are authorized for commercial river related operations on the Upper Colorado River, Muddy Creek, Fraser River, and Piney Creek.

Outfitting activities are an essential tourism support service that assists visitors on public lands. Commercial outfitters play an important role in facilitating safe public use and enjoyment of recreational activities. Visitors who engage the services of river related outfitters include first time visitors to the area as well as repeat customers. Many are from out of state and are not familiar with river conditions, access, and/or climate. Most visitors do not have the equipment needed to participate in the outdoor recreation activities which they seek. In turn, the use of public land is vital to river permittee operations and the enjoyment of their clients.

The BLM Kremmling Field Office (KFO) established a moratorium on issuance of Special Recreation Permits (SRPs) in the Upper Colorado River Special Recreation Management Area (SRMA) beginning in 2001. The rationale for the decision to stop issuing permits in the SRMA was based on the determination of the permit administration capabilities of both the KFO and the Colorado River Valley Field Office (CRVFO) formerly known as the Glenwood Springs Field Office (GSFO). This decision was reaffirmed in 2002, using the same rationale as the original 2001 decision. The 2002 decision extended the policy of not accepting applications for new permits in the SRMA until 2005. Since 2005, the KFO has not accepted new applications for SRPs for use within the SRMA.

The SRPs are issued to applicants who fulfill application requirements under current National BLM SRP policy and guidelines set by the Northwest District. In the table below, there are the commercial user numbers and a five year average.

Commercial User Numbers from 2007-2011							
Location	Activity	2007	2008	2009	2010	2011	5 year average
Gore Canyon	Floating	516	561	496	615	166	470
PH-SB	Floating	33,365	31,474	30,003	33,155	38,680	33,335
PH-SB	Fishing	2,563	2,011	2,136	3,197	1,662	2,313
Reeder Cr	Fishing	146	127	51	48	9	76
Powers	Fishing	84	33	46	38	0	50
Fraser River	Fishing	0	12	0	0	0	3
Sunset	Fishing	521	431	261	219	160	318
Piney	Fishing		18	9	8	11	12

River							
Muddy Creek	Fishing	11	30	57	23	46	33
Shuttles						2,544	
Photo						90	

*BLM KFO SRP Database, 2012

About 70-80% of commercial outfitters boat from Pumphouse to Radium; the remaining outfitters continue to operate from either Rancho del Rio or State Bridge Landing. Most of the outfitters going between Pumphouse and Radium offer half day trips and usually stop at Warm Springs, Jump Rock, and occasionally the Cabin. When the outfitters make a full day trip, they usually stop to eat at the Cottonwood Camp Site. Typically, on a full day trip, the outfitters will boat from Pumphouse to Rancho del Rio. The majority of the time they will stop at Radium to eat lunch. The van/bus drivers can bring all the food and lunch equipment with them so the guides do not have to load and unload it from the boat. On occasion, outfitters will bring cold sandwiches for their customers and stop at Island or Benches for lunch.

Over the past four years, the River Rangers have monitored these lunch spots as well as other spots along the river. Monitoring includes GPS data of the disturbed areas, photos and detailed notes. Monitoring is usually completed in September of each year after most commercial and private boaters are finished for the season. No increase in disturbance on these sites has been found from commercial outfitter use. In 2011, there was actually a decrease in disturbance at some of the spots because of high water preventing boats from accessing some areas of the banks.

Currently, 300-500 commercial customers and guides camp overnight between Pumphouse and Catamount. This is between 1 to 1.5% of the total users (commercial and private) on the Upper Colorado River. Commercial outfitters are currently required to bring a portable toilet, firepan, and practice Leave No Trace ethics.

Private use on the Upper Colorado River from Pumphouse to State Bridge has been monitored over the past decade and the numbers have increased significantly. Before 2005, private users ranged from 6,500 to 10,000 people per year. During these years, there was little enforcement of the fees, so numbers might have been higher. From 2005 to 2007, the private user numbers doubled from 10,087 to 20,235. Since 2007, the numbers have stayed between 20,000 to 25,000 private users on the river between Pumphouse and State Bridge. A majority of the private users camp overnight along the river in either designated camping sites or in dispersed sites.

Private Users Numbers from 2007-2011							
Location	Activity	2007	2008	2009	2010	2011	5 year average
Pumphouse-Rancho del Rio	Floating & fishing	20,235	20,268	25,012	25,960	21,265	22,548

* Recreation User Permits sold with self-reported user numbers at Pumphouse and Radium Recreation Sites

In 2009, a Wild and Scenic River Eligibility Report was conducted for the BLM Kremmling Resource Management Plan Revision. The primary outstandingly remarkable value for the Upper Colorado River from Byers Canyon to State Bridge is recreation (floatboating, fishing, and scenic driving). These segments may be determined suitable in the final Record of Decision for the Kremmling Field Office Resource Management Plan, which is expected to be completed during 2013. As eligible stream segments, the BLM is prevented from taking any actions that would diminish the free-flowing nature, outstandingly remarkable values, and water quality of the subject segment.

PROJECT NAME: Commercial River Special Recreation Permits

PLANNING UNIT: Kremmling Field Office

1.2 PROJECT LOCATION AND LEGAL DESCRIPTION

LEGAL DESCRIPTION:

T. 1S., R. 81W., Sec. 7;
T. 1S., R. 82W., Sec. 12, 13, 22, 23, 24, 27, 28, 33;
T. 2S., R. 82W., Sec. 4, 5, 6, 7, 18;
T. 2S., R. 83W., Sec. 13, 24, 25, 26; 6th P.M.
T. 1 N., R. 79 W., Sec. 10, 11, 17
T. 2 N., R. 81 W., Sec. 25, 36
T. 2 N., R. 80 W., Sec. 31
T. 1 N., R. 80 W., Sec. 5, 6
T. 1 N., R. 76 W., Sec. 10, 15
T. 2 S., R. 83 W., Sec. 25, 36
T. 2 S., R. 82 W., Sec. 31

1.3 PURPOSE AND NEED

The purpose for the action is to provide the opportunity for commercial floatboating, fishing, shuttle services, and photography on BLM-administered public lands within the Upper Colorado River Special Recreation Management Area, Muddy Creek, Fraser River and Piney Creek in a manner that protects the natural resources of public lands and prevents unnecessary or undue degradation. The need for the action is established by Title 43 CFR 8372 which requires authorization for commercial recreation activities on BLM-administered public lands. Authorization is granted through the issuance of Special Recreation Permits (SRPs).

1.4 PLAN CONFORMANCE REVIEW

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Kremmling Resource Management Plan

Date Approved: December 1984; Updated February 1999

Decision Number/Page: Decision Number II B 7a/ page 11

Decision Language: a. Objective. “To ensure the continued availability of outdoor recreational opportunities which the public seeks and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety, and resource interpretation.”

In January 1997, the Colorado State Office of the BLM approved the Standards for Public Land Health and amended all RMPs in the State. Standards describe the conditions needed to sustain public land health and apply to all uses of public lands.

Standard 1: Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes.

Standard 2: Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbance such as fire, severe grazing, or 100-year floods.

Standard 3: Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat’s potential.

Standard 4: Special status, threatened and endangered species (Federal and state), and other plants and animals officially designated by the BLM, and their habitats are maintained or enhanced by sustaining healthy, native plant and animal communities.

Standard 5: The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado.

Because standards exist for each of these five categories, a finding must be made for each of them in an environmental analysis. These findings are located in Chapter 3 of this document.

1.5 PUBLIC PARTICIPATION

1.5.1 Scoping: NEPA regulations (40 CFR §1500-1508) require that the BLM use a scoping process to identify potential significant issues in preparation for impact analysis. The principal goals of scoping are to allow public participation to identify issues, concerns, and potential impacts that require detailed analysis.

Internal Scoping:

DATE	ID Team Members Present	Issues brought forth
12/5/2011	Sent email to: Tom Adamson, Ken Belcher, Paula Belcher, Susan Cassel, Kelly Elliott, Zach	Some more information needed on how programmatic EA would fit the renewal of

2/13/2012	Hughes, Cynthia Landing, Megan McGuire, John Monkouski, Annie Sperandio, Neilie Tibbs, Bill Wyatt;	multiple permits; how long would the permits be issued for with the proposed RMP ROD being signed within 2 years; and the numbers of participants would mean more to the analysis than number of permits.
3/5/2012	Ken Belcher, Paula Belcher, Susan Cassel, Kelly Elliott, Megan McGuire, John Monkouski, Neilie Tibbs, Bill Wyatt; Tom Adamson, Ken Belcher, Paula Belcher, Susan Cassel, Zach Hughes, Megan McGuire, John Monkouski, Neilie Tibbs, Bill Wyatt	
4/4/12	Megan McGuire, Susan Cassel, Teri Parvin, Cynthia Landing, Zach Hughes, Annie Sperandio, John Monkouski, Kelly Elliott, Dave Stout, Bill Wyatt, Paula Belcher, Ken Belcher, Hannah Schechter	No limit on number of people or permits. No background statistics on where people raft, fish, eat lunch, camp, etc. Issue of RMP close to finished and uncertain of how permits will be issued in 3-5 years. Wanted maps of where people start, end, and stop on the river. Add adaptive management. Add private visitation use numbers to background and cumulative effects. Analyze EA for up to 50,000 commercial visitors per year. Add stats on monitoring program and how we will continue to monitor.

Persons/Public/Agencies Consulted: On December 16, 2011, a news release was published in the Ski Hi Daily Newspaper in Grand County, Colorado. The BLM sent a scoping letter to the Colorado Parks and Wildlife on February 27, 2012.

The BLM received one comment from external scoping: I support these as a homeowner in Grand County. The access to the public and the business and tax revenue locally is essential.

Issues Identified: No issues were identified during public scoping.

1.6 DECISION TO BE MADE

The BLM will decide whether to approve the proposed Commercial River Special Recreation Permits based on the analysis contained in this EA. The EA will analyze the issuance and renewal of river related commercial special recreation permits on the Upper Colorado River, Fraser River, Muddy Creek, and/or Reeder Creek. The BLM may choose to: a) accept the

project as proposed, b) accept the project with modifications/mitigation, or c) not authorize the project at this time. The finding associated with this EA may not constitute the final approval for the proposed action.

CHAPTER 2 - PROPOSED ACTION AND ALTERNATIVES

2.1 INTRODUCTION

The purpose of this chapter is to provide information on the Proposed Action and Alternatives. Alternatives considered but not analyzed in detail are also discussed.

2.2 ALTERNATIVES ANALYZED IN DETAIL

2.2.1 Proposed Action

The BLM would issue Special Recreation Permits for commercial recreation operations (i.e., floatboating, fishing, shuttling vehicles, and photography). These permits are valid for 10 years with an annual renewal of the Annual Operating Authorization. All commercial operations would be from .5 to four days for a single trip not earlier than March and ending not later than November.

FLOATBOATING would occur on approximately 20 miles of the Colorado River from the Confluence Recreation Area to State Bridge Landing. Floatboating includes rafts, kayaks, stand-up paddle boards, inflatable kayaks, etc.

FISHING would occur on approximately 15 miles of the Colorado River for fishing boats (from Pumphouse to State Bridge) and approximately 23 miles of the Colorado River for wade fishing (Sunset Fishing Access, Powers Fishing Access, Reeder Creek Fishing Access, Barger Gulch Fishing Access, Highway 9 Fishing Access, and from up the river from Pumphouse to State Bridge). Wade fishing would also occur on two miles of Muddy Creek, 1.5 miles of the Fraser River, and 2.5 miles of Piney Creek. Wade fishing would be in the rivers, streams, and along the banks, etc.

SHUTTTLING would occur on Trough Road (Grand County Road 1 and Eagle County Road 11), Pumphouse Road, and Radium Road.

PHOTOGRAPHY would occur at the Warm Springs. The photographer would hike from Radium Road to the Warm Springs on an existing trail.

Design Features of the Proposed Action:

- The BLM would inspect disturbed areas along the Colorado River, Fraser River, Muddy Creek, Piney Creek, and Reeder Creek for noxious weeds during the commercial river use timeframe. If noxious weeds are found, it is the responsibility of the BLM to treat the weed infestations.
- The permittee would practice the TREAD LIGHTLY and LEAVE NO TRACE land ethics and inform their clients about these practices and ensure that they follow them.
- All trash produced on commercial trips would be packed out. Trash cannot be deposited in BLM trash receptacles at the Pumphouse and Radium Recreation Areas.

- Every five years, the BLM would conduct a post season evaluation to review site conditions and assess reported/observed user numbers to make evaluations of the permits.

Campsites-

- A. Camps may be set up for no longer than necessary, and no earlier than five days prior to the first day of use authorized and must be removed within five days after the authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.
- B. Camps would be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible would be located out of sight of major trails.
- C. All campsites and temporary improvements would be as described in the approved operating plan.
- D. All campsite facilities including but not limited to tents and latrines, would be located at least 200 feet from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.
- E. All campsites must be approved prior to use. Clearances may be required, such as inventories for cultural resources and/or for threatened or endangered species.
- F. All overnight trips would carry a portable toilet system, either a washable, reusable system or an EPA-approved bag system. All solid human waste would be packed out.

Campfires-

- A. All overnight trips would carry and use a firepan. All fire ash would be packed out.
- B. Campfires would be completely extinguished when left unattended. The permittee is responsible for all fires started by him/herself, employees, or clients, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.
- C. An axe, shovel, water bucket or extinguisher for fire control would be available at each campfire.
- D. Wildfire caused by the permitted operation would be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be in effect.

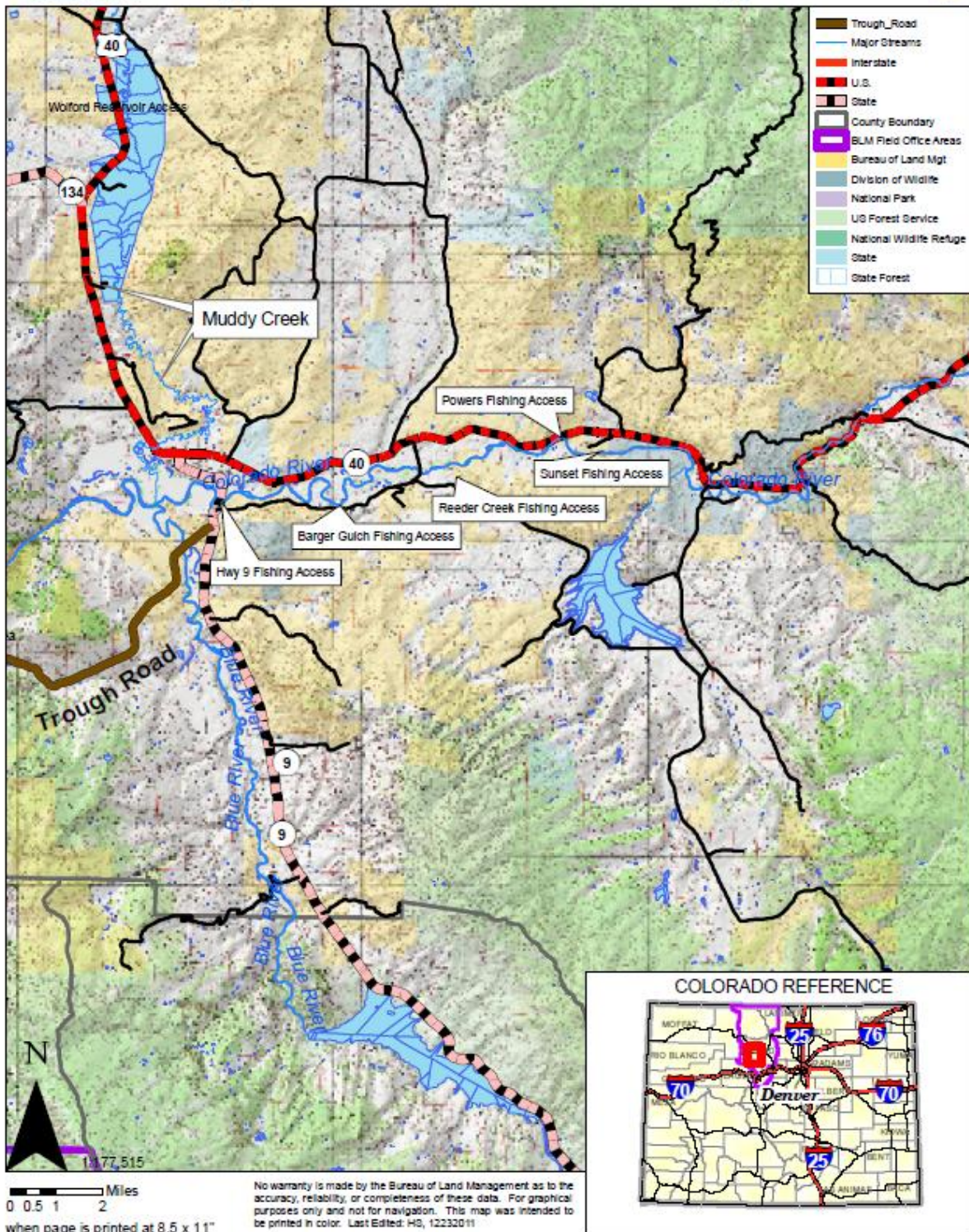
Resource Protection-

- A. Aesthetics: Permittee would protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted areas to acceptable standards of repair, orderliness, and cleanliness.
- B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area would be left in a natural state.
- C. Trash Disposal: Camps and other permitted areas would be regularly cleaned and no trash or litter would be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire would be packed out. Trash shall not be buried on public land.
- D. Waste or by-products of any kind would not be discharged into any stream, reservoir, lake or pond.
- E. Soils/Vegetation: Permittee and their customers would be restricted to using established trails, stream crossings, or river access points where they are available. Guides and their clients would avoid walking the downhill side of the private irrigation ditches, especially at the Sunset Fishing Access.
- F. Vegetation Damage/Removal: All operations would be conducted in a manner which prevents damage to or loss of vegetation cover. Cutting, clearing or defacing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason would require specific advance authorization. When tree cutting is authorized, stumps would be left no higher than six inches above ground level and slash shall be lopped and scattered. A separate permit is required for removal and transportation of woodland/tree products from public land.
- G. Firewood Cutting: All firewood for commercial overnight trips must be brought to the river. No collection of dead, down, or drift wood is permitted.
- H. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities, or any other property found on public land would not be damaged, destroyed, defaced, removed, or disturbed.
- I. Cultural Resources: All persons associated with operations under this permit must be informed that any objects or sites of cultural, paleontological, and scientific interest, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed or disturbed. If in connection with operations under this permit any of the above resources are discovered, the permittee would immediately stop operations in the immediate area of the discovery, protect such resources, and notify the BLM authorized officer of the discovery. The immediate area of the discovery must be protected until the operator is notified in writing to proceed by the authorized officer.

- J. Permittee is responsible for knowing where public land boundaries are located and the restrictions that may apply to an area of operation within these boundaries. Maps and information concerning restrictions are available at the local BLM field office.
- K. At annual BLM/Outfitter meetings, and attached to the permit should be information regarding:
- The use of established fish handling protocols designed to minimize stress associated with the playing of fish, removal of hooks, and release of fish back into the water.
 - Importance of foregoing fishing activities in the late afternoon or when water temperatures exceed 65 degrees Fahrenheit to reduce stress and post handling mortality.
 - Aquatic invasive species and suggestions on how to minimize the spread of these species via proper cleaning and disinfecting procedures. Recommendations that equipment be cleaned and disinfected between uses particularly if moving to new water bodies.

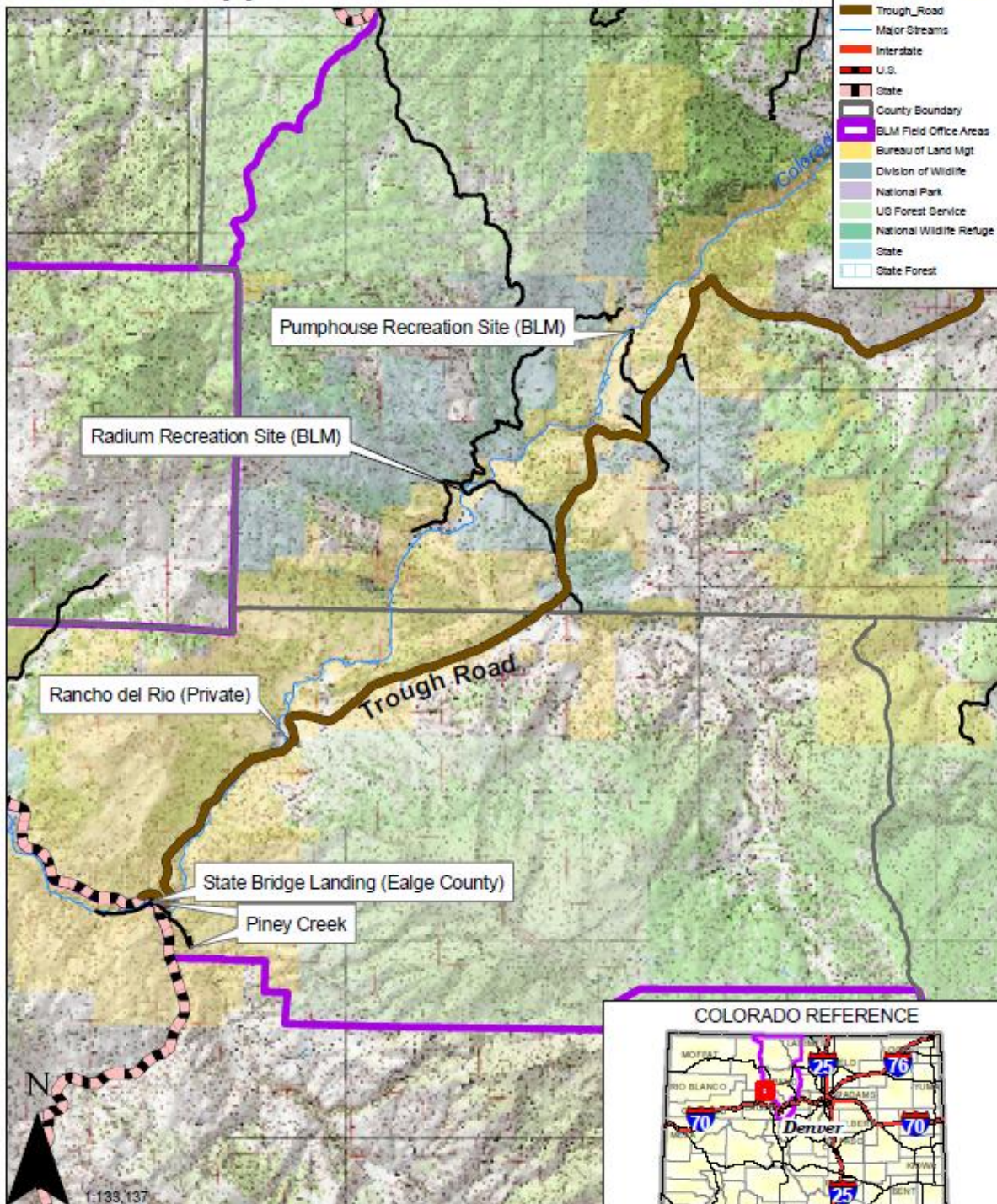


Upper Colorado River SRMA-Upper



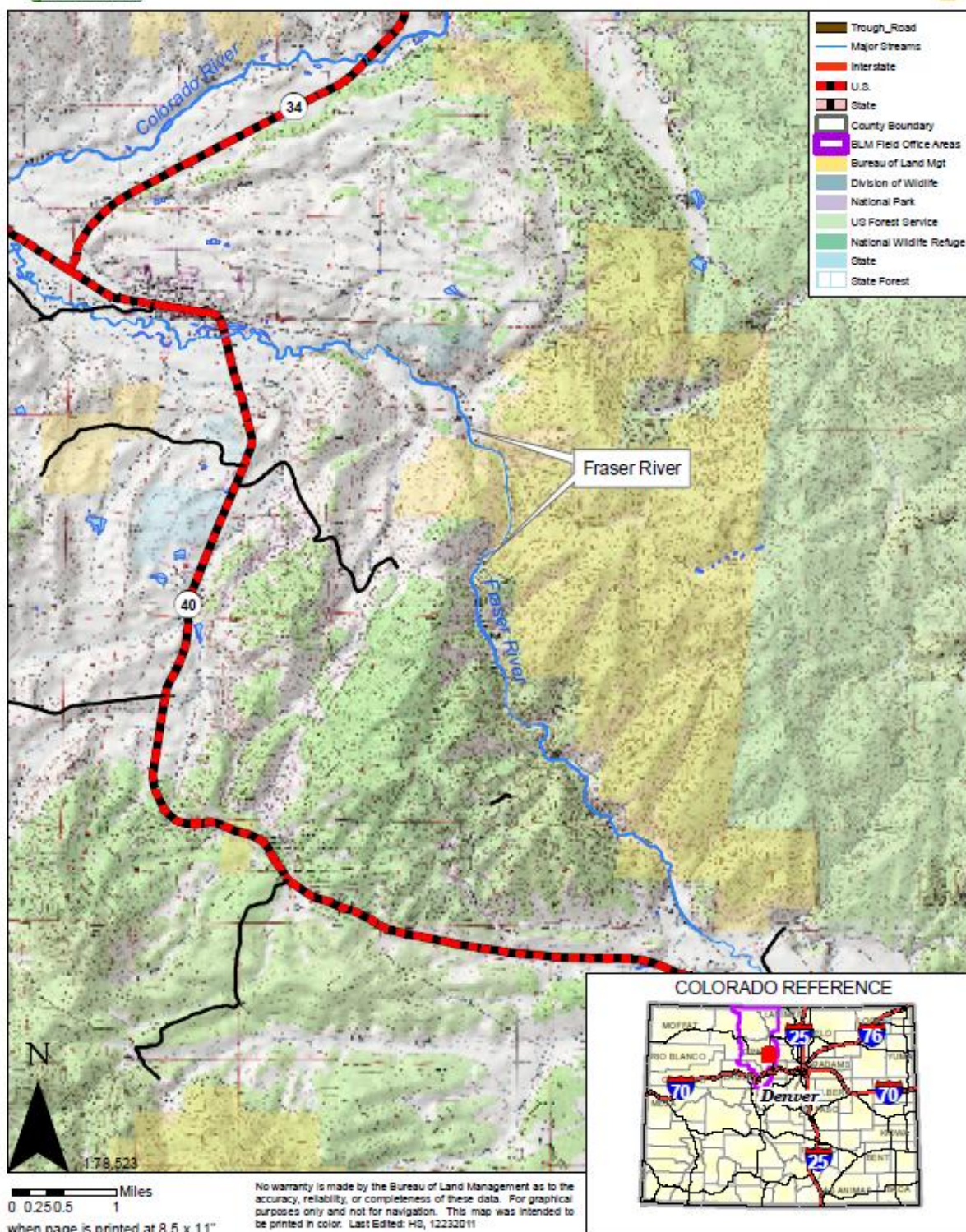


Upper Colorado River SRMA-Lower

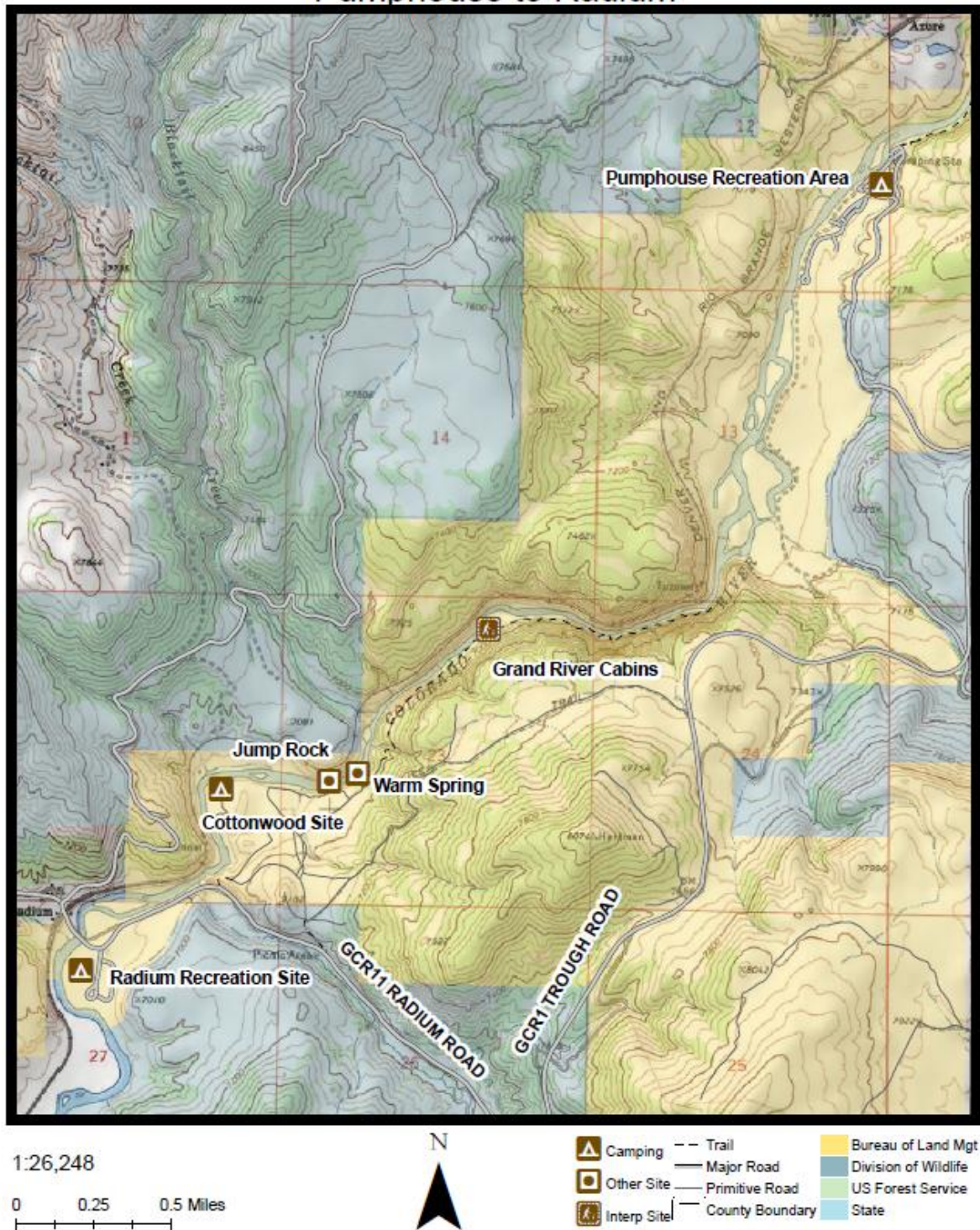


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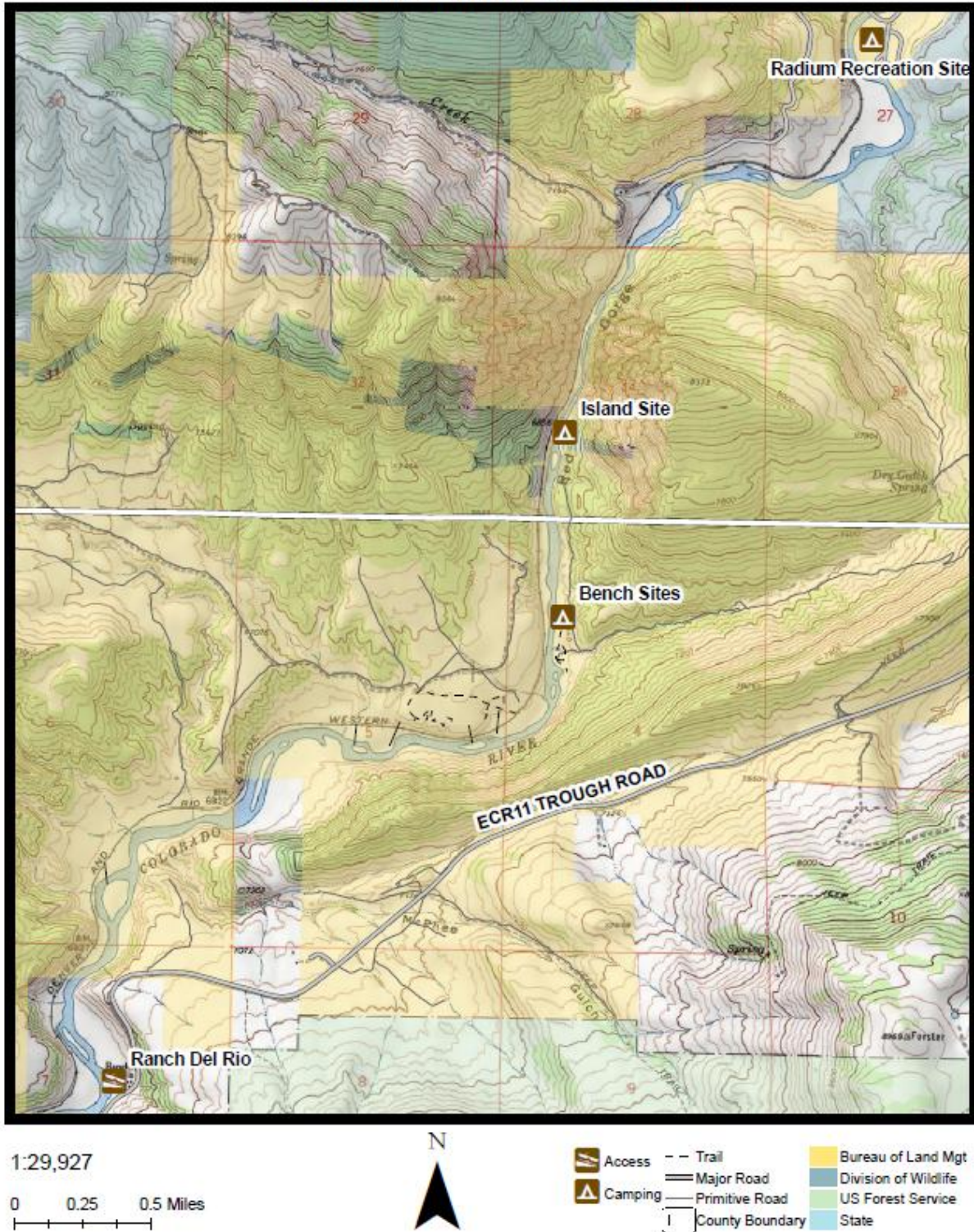
Fraser River



Upper Colorado River Special Use Permits Pumphouse to Radium



Upper Colorado River Special Use Permits Radium to Rancho del Rio



2.2.2 No Action Alternative

The No Action Alternative would be to deny issuance and renewal of Special Recreation Permits for commercial floatboating, fishing, shuttles, and photography use. This would put many of these permittees out of business and would have a dire impact on the local economy. Visitors who do not have the knowledge or equipment for any of these activities would not have these companies to choose from.

2.3 ALTERNATIVES CONSIDERED BUT NOT ANALYZED IN DETAIL

No other alternatives were considered.

CHAPTER 3 - AFFECTED ENVIRONMENT AND EFFECTS

3.1 INTRODUCTION

This section provides a description of the human and natural environmental resources that could be affected by the Proposed Action and presents comparative analyses of the direct, indirect and cumulative effects on the affected environment stemming from the implementation of the actions under the Proposed Action and other alternatives analyzed.

This Programmatic EA draws upon information compiled in the Kremmling Resource Area RMP (BLM 1984) and the Upper Colorado River Recreation Area Management Plan (BLM 1982).

3.1.1 Elements Not Affected

The following elements, identified as not being present or not affected will not be brought forward for additional analysis:

Air Quality- No measurable impact

Areas of Critical Environmental Concern- None in the proximity of the proposed area

Cultural Resources- The action is not Section 106 undertaking

Environmental Justice- According to the most recent economic Census Bureau statistics (2009), there are minority and low income communities within the Kremmling Planning Area. There would be no direct impacts to these populations with the proposed action or the no action alternative.

Farmlands, Prime and Unique- None in the proximity of the proposed action.

Fire- Applicants would adhere to conditions of their permit for fires only in designated hearths.

Geology and Minerals- No impact

Native American Religious Concerns- The action is not a Section 106 undertaking

Noise- Under the proposed action SRP's would be reissued and the current and future noise levels would continue without impacts to the existing setting which includes the railroad. Under the no action alternative SRP's would not be renewed and noise levels along the river corridor would be reduced with less recreation occurring along the river corridor. The noise impact from the adjacent railroad would continue and still have an impact on the setting.

Paleontology- No impact

Range Management-No impact

Realty- No impact.

Soils- On a landscape scale, soils are considered to be meeting the Land Health Standard and only small site specific concerns exist. By monitoring and managing for riparian vegetation, the current soil conditions will be maintained or even improved. Upland soils are basically unaffected by most of the river recreational uses.

Vegetation- No impact.

Wastes, Hazardous and Solid- There are no quantities of wastes, hazardous or solid, located on BLM-administered lands in the proposed project area.

Wilderness- No designated Wilderness or Wilderness Study Areas in the proximity of the proposed project area.

3.1.2 Past, Present, Reasonably Foreseeable Actions

The National Environmental Policy Act (NEPA) requires Federal agencies to consider the cumulative effects of proposals under their review. Cumulative effects are defined in the Council on Environmental Quality (CEQ) regulations 40 CFR §1508.7 as "...the impact on the environment that results from the incremental impact of the action when added to other past, present, and reasonably foreseeable actions regardless of what agency...or person undertakes such other actions." The CEQ states that the "cumulative effects analyses should be conducted on the scale of human communities, landscapes, watersheds, or airsheds" using the concept of "project impact zone" or more simply put, the area that might be affected by the proposed action. The area that may be affected by this project are the 5th order watersheds which include the Fraser River, the Colorado River above Kremmling, and the Colorado River above State Bridge, Muddy Creek, and Piney Creek. The spatial scale of this Programmatic Environmental Assessment is based on the rivers and creeks floodplains, varying from twenty feet to .25 miles. The following list includes all past, present and reasonably foreseeable actions known to the BLM that may occur within the affected area:

Past Actions:

Construction of Wolford Reservoir - created tailwater fisheries

Colorado Big Thompson Project & Denver Water Board reservoirs (Green Mtn., Granby, Williams Fork) - provide for mid-July - August flows sufficient for rafting

Acquisition of properties - along Colorado River (Reeder) and Fraser

Present Actions:

Transbasin water diversions increase low summer flows, possibly contributing to stream temperature concerns, reduce dilution flows, increasing sediment load concerns.

Reasonably Foreseeable Actions:

There would continue to be upgrades along the river corridor if recreation continues to increase. The improvements will accommodate more people. The Pumphouse road has been designated for Federal Highway money to be realigned and paved increasing the quality and safety of the access to the river.

The BLM is currently working on a Resource Management Plan (RMP) for the Kremmling Field Office, which includes the Upper Colorado River SRMA, Reeder Creek, Fraser River, Piney

Creek, and Muddy Creek. This RMP is anticipated to be completed in 2012, and would include additional management prescription for these areas.

3.1.3 Analysis Assumptions

- Data is based on the previous 10 years; numbers may change in the future.
- Analysis is for up to 50,000 commercial users per year.
- Most rafters are on half day trips from Pumphouse to Radium with stops at the Warm Springs, Jump Rock, and Cabin.
- Most full day rafting trips stop to eat lunch at Radium.
- Less than 2% of the total users from Pumphouse to State Bridge (including private boaters) are commercial outfitters that camp overnight.
- Private users are not analyzed in this Environmental Analysis. They make up about 40% of the total users from Pumphouse to State Bridge and at least 98% of users who camp overnight.
- Based on monitoring over the past four years (2008-2011), there has been no increase in disturbance at river sites where commercial outfitters typically use.
- There is currently a Special Recreation Permit moratorium on all river related permits in the Upper Colorado River Special Recreation Management Area.

3.2 PHYSICAL RESOURCES

3.2.1 Water (surface and groundwater, floodplains) (includes a finding on Standard 5)

Current conditions: The proposed action occurs within the Upper Colorado River Basin on segments of the Colorado River itself, and on Muddy Creek, the Fraser River, Reeder Creek, and the Piney River, tributaries to the Colorado River. The waters are all designated by the State of Colorado for water supply, agriculture, class 1 coldwater aquatic life, and primary contact recreation uses. Reeder Creek is designated for potential primary contact recreation use, which indicates that the use is not presently occurring, or that there is no completed use attainability analysis, or that there is no indication that such a future use would be improbable. The State has determined that the Colorado River mainstem is fully supporting recreational uses, but has not evaluated the other uses.

The Colorado River from the 578 Bridge to the confluence with the Blue River is on the state's 303(d) list for temperature impairment (see 303d Map). Muddy Creek from Cow Gulch to the confluence with the Colorado River is also listed for temperature impairment, as is the Fraser River. All three waters are a high priority for the state to address the water quality impairment. Wolford Reservoir, Muddy Creek to confluence of Cow Gulch, and the Fraser River are on the state's Monitoring and Evaluation List (M & E List) for dissolved oxygen, temperature, and copper concerns respectively. The Monitoring and Evaluation List is for streams where there are reasons to suspect impaired water quality, but there is "uncertainty for one or more factors." The M & E List recommends additional data collection for these streams.

Temperature impairment can be from a variety of causes, for example, increased air temperatures, lack of stream shading, water diversions that decrease the stream depth, reservoir and water treatment operations, and sediment load increases. Dissolved Oxygen concentrations

can decrease with higher stream temperatures, nutrient loading, or reservoir operations. Copper concentrations can often reflect local geology, but can also be associated with road runoff, industrial processes, mines, and wastewater treatment.

All of the affected stream segments have temperature sensors as part of the Grand County Water Information Network. Due to the intensive use of water in the Colorado River basin, all of the streams have various amounts of streamflow and water quality monitoring. The Water Quality report prepared for this environmental assessment includes a more site specific discussion of each stream segment and its uses. Groundwater in the project area is limited to the alluvial valleys and would not be measurably impacted by the Proposed Action or the No Action Alternative.

No Action

Direct and Indirect Effects: Commercial outfitters would no longer be using the public lands for their businesses. This would be expected to greatly reduce the total amount of recreational use, especially along the Colorado River. Although some previous clients might opt to recreate privately, due to the needed equipment, this would most likely be a small percentage of the clients.

The largest reduction in visitors would occur in the number of floatboating recreationists. These users tend to use the developed recreation sites and facilities, and be primarily day users. They access the river at designated, hardened locations, such as the boat ramps. This would, however, result in less foot traffic at lunch stops and in the areas surrounding restrooms and parking lots. Depending on the actual numbers of private recreationists, overall ground cover and vegetative condition in these heavily used areas could benefit, due to fewer user created trails or paths. The main paths and trails, however, are already heavily compacted and would continue to have heavy use by private recreationists. Overall, it is unlikely to result in measurable differences in water quality, except perhaps in small site specific areas and depending on the actual private use too.

There would also be a reduction in the number of bank and stream fishermen. This could benefit the riparian vegetation from less bank trampling and removal, less soil compaction and bare soil exposure from trail creation, and less bank shear from accessing the stream. The private irrigation ditches might also experience less ditch erosion and sedimentation from fishermen walking the ditch berms and the slopes above the ditches (Reeder and Sunset). The amount of difference is difficult to determine, however, as it depends on an estimate of the total numbers of user days at each site, both commercial and private, under each alternative. There is also the assumption that the commercial trips result in less resource impact than the private fishermen, so actual resource improvement under this alternative could be negligible. There would also be a reduction in the collected permit fees that can be used to mitigate resource concerns.

Cumulative Effects: Initially, the No Action Alternative would decrease the amount of recreational use the affected stream segments would experience. This would help site specific vegetative conditions improve, as there would be fewer people using trails to access the stream or walking the streambanks. Future streamflows are projected to decrease due to increased upstream diversions with the full utilization of current water rights and the two pending firming projects, which could increase the number of days water temperatures exceed the state's standard

and could possibly increase the Colorado River segments affected. The possible impairment due to copper on the Fraser River could also be compounded, as concentrations could increase with less dilution, and due to less dilution, more copper could be added at water treatment facilities. This would be expected to have a much greater impact on water quality than the recreational uses. Muddy Creek might experience some increased flows as mitigation to Colorado River and Blue River diversions. These increases could help lower stream temperatures. Piney and Reeder creeks would initially see lower user numbers, but in time, private use numbers would eventually reach and probably surpass the current numbers. Expected impacts would be dependent on the actual numbers experienced.

Proposed Action

Direct and Indirect Effects: River recreational activities can increase vegetation and soil disturbance adjacent to waterways. Commercial operations generally are larger groups than private users, as even a single fisherman would have a guide. Walking along streambanks can result in soil compaction and vegetation damage. Over time, these areas can become hardpacked bare soil rather than well vegetated “sponges” that filter upland runoff, trapping sediments and keeping them from being carried into the stream. Accessing the stream can reduce bank strength, and result in bank shearing or failure. As streambank damage increases, not only is there less stream shading from overhanging vegetation and banks, but the stream is widened, which spreads the stream across a wider area, reducing the water column depth. These consequences can contribute to increased stream temperatures, lower dissolved oxygen concentrations, and higher sediment loads. Metals and nutrients can be transported to the stream with these sediment loads. For the most part, commercial boaters are easier to restrict to protected areas of streambanks, such as boat ramps and graveled areas. The Colorado River SRMA has developed facilities, including restrooms, and there are no identified water quality concerns from commercial boaters’ use. Bank and stream fishermen can have a larger impact, although their groups are generally much smaller.

Commercial activities can benefit the stream corridor. The use of guides can help encourage adherence to rules and good user ethics, reducing user created camp sites, trash, and unwanted trails in closed areas. It can be an opportunity to educate recreationists on reducing their impacts to water quality. Collected permit fees also help generate the revenue needed to develop boat ramps, trails, and site facilities that reduce the impacts of both commercial and private recreationists. Currently, observed areas of vegetation trampling and trail creation are limited to small areas and not directly on the stream’s edge. The proposed design feature of interdisciplinary reviews of the areas, however, can help identify concerns, review user trends and numbers, and apply adaptive management to reduce water quality impacts from commercial users or just the total number of users. This review is essential, as impacts are definitely associated with numbers. Adaptive management could include actions such as building designated trails, hardening river access points, vegetation restoration areas, reduction in permits, or even requiring permits for all users and limiting the number of permits.

Cumulative Effects: Water quality concerns for the stream segments involved are all affected by upstream land owners and water diversions. Muddy Creek’s water quality is affected by the operation of Wolford Reservoir, while the Fraser River and Colorado River are affected by diversions. Muddy Creek, Piney Creek, and Reeder Creek’s water quality is primarily tied to the

adjacent land use intensities, which includes upland land uses on public lands and along the riparian area. These three drainages' water quality can be more influenced by the damage to the riparian area than the larger Fraser and Colorado River areas. Muddy Creek is within the Wolford Travel Management Area, a popular off-highway vehicle area. The BLM has designated trails within the area to minimize water quality impacts from open travel, but some user created trails and some poorly maintained trails, could still be contributing to additional sediment loads to the creek. Livestock grazing was removed below the reservoir as mitigation to inundating wetland and riparian habitat. Management objectives for the area include increased stream shading, woody vegetation composition, and reduced stream widths, which would ultimately result in better water quality. The commercial and private river users are not having a measurable impact to these objectives. Livestock grazing and private irrigation practices do occur within both the Reeder and Muddy Creek watersheds, with livestock actually grazing the public segment of Reeder Creek itself. Monitoring the riparian conditions of these streams to determine if all public uses are impacting the riparian community would help insure that numbers and uses are not possibly impacting water quality. The larger Fraser and Colorado Rivers' water quality would be more reflective of reservoir operations and transbasin diversions than public land segments. Besides some possible site specific impacts, BLM's uses would not likely add to the cumulative impacts of private land uses, transbasin diversions, water treatment, road and highway drainage, sub-developments, and railroad disturbances that occur upstream and within the public segments.

Protective/Mitigation Measures: None

3.3 BIOLOGICAL RESOURCES

3.3.1 Invasive, Non-native Species

Current Conditions: Terrestrial Habitat: There are inventoried invasive, noxious weeds on the Upper Colorado River Special Recreation Management Area, Muddy Creek, and Piney Creek. Currently there are no inventoried invasive, noxious weeds on the Fraser section of river in which is to be permitted. These species include Yellow toadflax (*Linaria vulgaris*), Musk thistle (*Carduus nutans*), Bull thistle (*Cirsium vulgare*), Canada thistle (*Cirsium arvense*), Common Mullein (*Verbascum thapsus*), Field Bindweed (*Convolvulus arvensis*), Houndstongue (*Cynoglossum officinale*), and Cheat grass (*Bromus tectorum*). These species occur along the river banks and in high use areas such as designated camp grounds, put in ramps, swimming areas, hiking trails, and other recreational areas.

Aquatic Habitat: Species of primary concern in Colorado include Zebra mussels, Quagga mussels, New Zealand mud snails, and Whirling disease vectors. Whirling disease has been found in portions of the Colorado River, including sections of proposed SRP managed areas. Zebra mussels, Quagga mussels, and New Zealand mud snails can be found in surrounding reservoirs, lakes and other slow moving bodies of water within close proximity of the proposed permitted areas.

No Action

Direct and Indirect Effects: The number of permitted recreational activities would decrease, therefore this may decrease the amount of invasive, noxious weeds that are spread through these recreational activities. However, no stipulations of the permitted recreational activities would be put in place, which does provide for some efforts to help stop the spread of invasive species.

Cumulative Effects: Without permitted recreational activities there would a short term decrease in the number of users on the river which may decrease the spread of invasive, noxious species. However, unpermitted recreational activities would still occur and still provide an avenue for invasive, noxious weeds and aquatic species to spread or establish.

Proposed Action

Direct and Indirect Effects: Aquatic Habitat: These species can affect native fishes by introducing diseases/parasites, altering water quality, reducing primary productivity and ultimately food webs in competing for habitat and food sources. All of these invasive species can be spread via humans and specifically equipment used by humans in water such as watercrafts, trailers, waders, boots, life jackets, and the like. They are spread when gear and equipment is not properly cleaned or sanitized after use or prior to use in another water body. Providing outfitters with this information would help minimize the potential spread of aquatic invasive species.

Terrestrial Habitat: The proposed action for permitting of recreational permits on these sections of rivers increases the ability of invasive, noxious plants to be established or spread. These actions include commercial float boating and fishing activities. Invasive, noxious weeds have already established along the stream banks of the riverside, and many have seeds that stick to clothing, rafts, gear, footwear, etc. in which these seeds can be transported to other unaffected areas. In addition, disturbance occurs in way of foot travel from fishermen, portage from rafters, hikers and campsite areas provide an avenue for invasive, noxious weeds to spread. New species may also be introduced due to the number of people that recreate through these special recreation permits, and the corresponding areas which they have come from. Invasive, noxious weeds can out-compete native vegetation which can decrease the native vegetation within the permitted areas. This has effects on forage wildlife in the area as well as decreases native vegetation for bank stability such as sedges or rush species. The BLM monitors and treats areas along sections of these rivers to contain known populations of invasive, noxious weeds and prevent new species from becoming established.

Cumulative Effects: In addition to permitted activities, private recreational activities also occur and provide an avenue for invasive, noxious weeds and aquatic species to spread or establish. Unpermitted recreational activities that have no required stipulations for controlling invasive species are expected to increase which would further contribute to the spread of invasive, noxious species.

Protective/Mitigation Measures: None

3.3.2 Special Status Plant and Animal Species (includes a finding on Standard 4)

Current conditions: No federally listed species, or Greater sage-grouse, a Federal candidate and BLM-designated sensitive species, would be impacted by the Proposed Action or the No Action Alternative.

Aquatic species of interest are found primarily in the Colorado River and include the flannelmouth sucker and bluehead sucker both of which have been documented in the river above State Bridge into Little Gore Canyon. These fish are both Colorado BLM-designated sensitive species. They are rare in this portion of the Colorado River and this is likely the upstream limit of their distribution. In addition, it is possible that the lower portions of the Piney River may at least seasonally contain these species.

No Action

Direct and Indirect Effects: Under the No Action alternative, no guiding of fishing or floatboating would be permitted on BLM lands. Private recreationists would continue to use the river, but as stated before, they are rare in this portion of the Colorado River and as such, no impacts to aquatic species would result from these activities.

Proposed Action

Direct and Indirect Effects: The proposed action is to authorize guide and outfitting of fishing and floatboating activities on BLM-administered waters. Recreational fishing is authorized by the State of Colorado and all of these waters provide self-sustaining populations of trout sought after by anglers. It is unlikely that fishing for trout would result in the catch of either of these sucker species.

Cumulative Effects (for the No Action and Proposed Action): Unpermitted recreational activities would still occur, however, since these waters provide self-sustaining populations of trout, it is unlikely that fishing for trout would result in the catch of special status sucker species. Therefore, no cumulative effects are expected to occur for special status plant and animal species.

Protective/Mitigation Measures: None

3.3.4 Wetlands & Riparian Zones (includes a finding on Standard 2)

Current conditions:

The various stream segments used by the commercial outfitters have been inventoried for riparian conditions. Stream segment discussions are included in the Water Quality Report prepared for this environmental assessment. The segments are currently assessed as being in proper functioning condition, although there are concerns about invasive species along Reeder Creek itself, and along segments of the Colorado River from Pumphouse to State Bridge. Current fishing uses have not created unacceptable trails along the Fraser River, Muddy Creek, Reeder Creek, Piney Creek, and the Upper Colorado River. Unacceptable trails would be trails that have compromised streambank stability by increasing bank shear, removing streambank vegetation, or increasing sediment deposits into the water. Overall, recreation use along the

public stream segments have increased over the last twenty years, especially fishing. Many of the sites were not fished by the public or by commercial companies 20 years ago.

No Action

Direct and Indirect Effects: The largest decrease in users would be for commercial floatboating, which has less direct impacts to riparian zones than the other uses. Indirectly, clients that are waiting to load or unload may walk along the banks, but they tend to remain as a group near facilities. There would also be a reduction in the number of bank and stream fishermen. This could benefit the riparian vegetation from less bank trampling and removal, less soil compaction and bare soil exposure from trail creation, and less bank shear from accessing the stream. The amount of difference is difficult to determine, however, as it depends on an estimate of the total numbers of user days at each site, both commercial and private, under each alternative. There is also the assumption that the commercial trips result in less resource impact than the private fishermen, so actual resource improvement under this alternative could be negligible. There would also be a reduction in the collected permit fees that can be used to mitigate resource concerns.

Cumulative Effects: Along the Colorado River and Fraser River, and Piney Creek, direct impacts to riparian vegetation are primarily due to river recreationists. The number of private recreationists along the rivers and their less “confined” use of the riparian zones are expected to overshadow removing the impacts from commercial users. Other uses occurring in the areas along the river corridors include hunter use, private inholdings, and for the rivers, the adjacent railroad. The other uses can all contribute to indirectly helping spread invasive species that compete with native riparian vegetation. Transbasin diversions also are thought to have lowered the water tables in the riparian zones along the Fraser and Colorado rivers, reducing the overall habitat and vegetative potentials. Reeder Creek has a private irrigation ditch, the county road, wildlife use, and livestock grazing that can also spread invasive species and contribute to removal of riparian vegetation. Muddy Creek’s riparian vegetation is also impacted from OHV users, hunters, and reservoir operations- both the timing and the amount of releases. From general observation of these areas, it is evident that other actions have much more of an impact on the riparian zones, and removing commercial users would only have a slight, more site specific, benefit to riparian conditions.

Proposed Action

Direct and Indirect Effects: The recreational use in the SRMA impacts the vegetation along trails, in and around campsites, and along the streambanks in high use areas near parking lots and boat ramps. These are more site specific concerns, and the use does not appear to be impacting the overall riparian community. Each major use area is discussed in the Water Quality Report prepared for this environmental assessment. Fishermen, whether streambanking or wading, can potentially impact the riparian vegetation, which in turn, impacts the water quality. Invasive species, erosion, loss of streambank vegetation and/or stream shading, could all contribute to degrading water quality and loss of riparian values. At present use levels, there are only small areas of localized concern. The Fraser River public trail, the Muddy Creek fishing, and the Reeder Creek access are all relatively new areas. These areas need to be monitored to better assess how the use is effecting the riparian vegetation, and if user numbers are increasing to the point that resource damage is occurring. With the increasing population, and the difficulty in

finding public stream segments, it is expected that use would at least continue at present levels or grow. Vegetative monitoring of each area is essential to help determine when additional management is needed to reroute or close erosive trails, construct crossings, provide protection or reclamation of areas, or start limiting the actual number of users.

Cumulative Effects: Discussed under the No Action Alternative, it is felt that the commercial recreationists are a small, more site specific, impact to the riparian area, and that in the cumulative analysis, do not measurably impact overall riparian health. At the present time, however, there has not been specific riparian monitoring occurring in these stream segments. As riparian conditions are monitored, a better understanding may be gained on recreational impacts to these areas.

Protective/Mitigation Measures: None.

3.3.5 Wildlife (includes fish, aquatic, migratory birds, and terrestrial) (includes a finding on Standard 3)

Current conditions: Fish, Aquatic: The Piney River, Muddy Creek, and Fraser River contain rainbow and brown trout and mottled sculpin. The Piney River also contains mountain whitefish. In addition to the fish species addressed above in the THREATENED, ENDANGERED, AND SENSITIVE SPECIES Section, the Colorado River contains brown trout, rainbow trout, brook trout, cutthroat trout, mountain whitefish, mottled sculpin, speckled dace, white sucker, and longnose sucker. In addition, all of these waters contain assemblages of macroinvertebrates consisting primarily of caddis, stone, and may flies.

Migratory birds: A large variety of migratory bird species, primarily birds of prey and songbirds, have been observed in the Upper Colorado River Special Recreation Management Area, Muddy Creek, Fraser River and Piney Creek. Surveys conducted in 1994 by the Colorado Breeding Bird Atlas Partnership recorded many species including Cooper's hawks, Red-tailed hawks, Golden Eagles, Bald Eagles, Mountain Bluebirds, Common Nighthawks, American Robins, Barn and Cliff swallows, Killdeer, Mountain Chickadees, Mourning Doves, Violet-green swallows and Pinyon Jays.

Terrestrial: The Upper Colorado River Special Recreation Management Area, Muddy Creek, Fraser River and Piney Creek provide important habitat for a large variety of wildlife, including mule deer, pronghorn antelope, Rocky Mountain elk, Bighorn sheep, moose, black bear, cougar, white-tailed jackrabbits, badgers, beavers, foxes, coyotes and several species of small rodents.

No Action

Direct and Indirect Effects: Under the No Action alternative, no guiding of fishing or floatboating would be permitted on BLM lands. As such, no impacts to fish, aquatic species, migratory birds, or terrestrial wildlife would be associated with these activities.

Cumulative Effects: Initially, the No Action Alternative would decrease the amount of recreational use along the river corridor. This would help site specific vegetative conditions improve, as there would be fewer people using trails, which would directly benefit wildlife habitat and reduce stress by reducing the number of animals displaced by human activity. In

time, private use numbers would increase and expected impacts would be dependent on the actual numbers experienced.

Proposed Action

Direct and Indirect Effects:

Fish, Aquatic: The proposed action is to authorize guide and outfitting of fishing and floatboating activities on BLM administered waters. Recreational fishing is authorized by the State of Colorado and these waters provide self-sustaining populations of trout sought after by anglers. Permitted fish guiding activities that could result in direct or indirect mortality to individual fish would not have any population level effects to any of these popular fisheries. However, fishing during times of day or season when water temperatures approach lethal limits for trout (68 degrees F) can add undue stress to fish even if returned to the water.

One of the primary potential impacts to resident fisheries from guided fishing and floatboating activities is the spread of aquatic invasive species. Species of primary concern in Colorado include zebra mussels, quagga mussels, New Zealand mud snails, and whirling disease vectors. These species can affect resident fishes by introducing diseases/parasites, altering water quality, reducing primary productivity and ultimately food webs, and competing for habitat and food sources. In the case of whirling disease, substantial mortality to young trout results from infestations. All of these invasive species can be spread via humans and specifically equipment used by humans in water such as watercrafts, trailers, waders, boots, life jackets, and the like. They are spread when gear and equipment is not properly cleaned or sanitized after use or prior to use in another water body.

Utilizing commercial operations to help make fishermen aware of the concerns listed above can help benefit aquatic resources. Attaching information to companies' permits and reviewing it during outfitter meetings would increase awareness of their need to practice good fishing practices.

Migratory birds and terrestrial wildlife: The Proposed Action to provide commercial floatboating, fishing, shuttle services, and photography on the BLM-administered public lands may temporarily displace birds and terrestrial wildlife that use these areas. However, activities are generally widely dispersed and short term, which would reduce impacts to these animals. In addition, abundant habitat exists adjacent to all areas to support birds and other wildlife displaced by permitted activities.

Cumulative Effects: In addition to permitted activities, private recreational activities also add stress and disturbance to wildlife species. At the current levels of recreation, wildlife communities are likely accustomed to some level of human activity. In time, private use numbers would increase and expected impacts would be dependent on the actual numbers experienced.

Protective/Mitigation Measures: None

3.4 HERITAGE RESOURCES AND HUMAN ENVIRONMENT

3.4.1 Social-Economics

Current Conditions: The Upper Colorado River is a heavily used recreation site for both private and commercial boaters and fishermen. The river at times can be difficult to raft when the water is high. Commercial outfitters provide a service for private recreationists who do not feel qualified to enter the river safely. Most of these commercial outfitters operate from the local commuting area.

No Action

Direct and Indirect Effects: If the permits were not renewed, the outfitters' business would suffer along with the towns they originate from. Facilities may not be kept up, if the BLM cannot afford their upkeep due to the decrease in fees collected from the outfitters. Tourists may decide to visit other rivers in other parts of the State if there were not enough outfitters available.

Cumulative Effects: The cumulative effects of the No Action would be continuous decline in facilities owned by the BLM with no commercial rafting income and the decline in tourism in the area.

Proposed Action

Direct and Indirect Effects: Renewing the permits of the commercial outfitters provides a service to the local population and tourists who visit the area. The income generated from their clients not only affects their business, but also the towns where the business is located. Many of the clients would more than likely spend money at local shops before or after the activity. There is also income to the BLM for maintenance on the Colorado River facilities that enhances the experience and may produce repeat visits.

Cumulative Effects: The continued flow of money to the local towns and the BLM would enhance the facilities available for tourists. Businesses would continue to employ local resident and students who spread more money into the local economy.

Protective/Mitigation Measures: None

3.4.2 Transportation/Access

Current Conditions: The Upper Colorado River SRMA is primarily accessed by visitors via maintained roads leading to developed recreation sites or trailheads. A few non-maintained primitive roads primarily used by non-floatboaters exist that provide additional access to the river. Floatboats are the means of transportation along much of the river corridor. The river in itself is the access for floatboaters and floatboating fishermen along the river corridor and to access campsites and other sites that otherwise would require cross country travel where no access route exists. Fishing access points that do not require floatboating for access receive limited commercial activity and do not impact transportation or access.

No Action

Direct and Indirect Effects: If the permits were not renewed, visitor access by maintained roads would be less crowded. Visitor access by primitive road would remain unchanged. There would be less crowding and improved access to those that utilize the river for access with their own boats for transportation and utilize campsites or other sites along the river. However, a large portion of visitors would not be able to access large sections of the river corridor to experience floatboating or fishing since there would not be commercial outfitters to provide this service.

Cumulative Effects: The numbers of people using the access roads would probably decrease if commercial outfitters left the area due to permits being denied. Maintenance dollars from outfitters would decrease and access roads may suffer.

Proposed Action

Direct and Indirect Effects: If permits are renewed, visitor access by maintained roads would likely remain at the current levels of use and but crowding may increase overtime for commercial and private visitors. Visitor access by primitive road would likely remain unchanged. The proposed action would provide a valuable service to the public that do not own their own boats since commercial outfitters can provide the transportation and access to those who would otherwise be unable to obtain such access on the river.

Cumulative Effects: Access to the developed Pumphouse Recreation Site may become more crowded overtime if the access road was improved to include paving and the area or activities becomes more popular. Protective/Mitigation Measures: None

3.5 LAND RESOURCES

3.5.1 Recreation

Current Conditions: The proposed action is within the Upper Colorado Special Recreation Management Area (SRMA), the Fraser River, Muddy Creek, Reeder Creek, and Piney Creek. These areas are managed to provide and maintain floatboating, fishing opportunities, and associated activities in a roaded-natural setting. Within the SRMA, an estimated 60,000 visitors participate in river-related activities annually. Recreation visitors from Eagle and Routt counties use the Trough Road as a primary access to the Colorado River and Piney Creek. The Colorado State Highways 9 and 40 are the primary access roads to the Fraser River and Muddy Creek. Recreation use within these areas peaks from mid-July through Labor Day. The areas proposed for the SRP are used for dispersed camping or day use by boaters and anglers during the summer months and by big game hunters in the fall. Areas outside of the SRMA, (i.e., Fraser River, Muddy Creek, and Piney Creek) have fewer visitors (see table for 5 year average in Chapter 1, page 3) who participate in river-related activities.

As part of the BLM Kremmling FO RMP revision in progress, the Arizona State University conducted a visitor preference survey within the SRMA. Respondents to the survey identified their most satisfying activities as rafting, kayaking, and fishing. Visiting natural places and participating in recreational activities were the most important factors in visitor satisfaction. Overall, visitors had a very high level of satisfaction; indicated by 4.3 on a scale of 1 – 5, with 5 being extremely satisfied.

The BLM also updated the recreation setting inventory as part of the RMP revision. The area's remoteness is classified as rural due to the proximity of the Trough Road, CO State Hwy 131 and the railroad. The area's social setting is classified as front country (30 or more encounters and 15 – 25 people per group) due to the proximity of the river to the Trough Road.

No Action

Direct and Indirect Effects: If the permits were not renewed, the recreation opportunities in these areas would decrease and possibly would not be present. Tourist may go to other areas and businesses would suffer.

Cumulative Effects:

The Upper Colorado River offers class II-III floatboating and fishing within an hour of many resort communities in Summit, Grand, Eagle, and Routt Counties (Winter Park, Breckenridge, Vail, Steamboat Springs, etc.). There are very few rivers in these areas that offer outfitting services, easy access, class of boating, and proximity to where they are staying. If river related permits were denied, local tourism and businesses would suffer as well as resort communities and the State of Colorado.

Proposed Action

Direct and Indirect Effects: The BLM manages public lands for a full range of recreation activities, including rafting, fishing, camping, hunting, etc. About 60,000 visitors use the Upper Colorado River SRMA every year and additional visitors use the Fraser River, Muddy Creek, and Piney Creek. About one fourth of the users own their own equipment and have skills to participate on their own. Others who wish to experience the outdoors in natural settings rely on the services of commercial outfitters who lead trips onto public lands for a fee.

The proposed action would provide opportunities and knowledge to visitors who would not normally have access to river related activities. These permits have been issued since the 1980's and visitors to the areas are used to commercial activities. The proposed permits would not change the overall setting on the Colorado River, Fraser River, Piney Creek or Muddy Creek.

Cumulative Effects:

In addition to the 30,000-40,000 commercial river users, there are approximately 25,000 private river users on the Upper Colorado River from the Confluence Recreation Area to the State Bridge Landing (primarily between Pumphouse and State Bridge). Cumulatively, the proposed action and current private users result in approximately 60,000 river users on these stretches of the river annually. On the Colorado River above Kremmling, BLM estimates there are around 3,400 private users (based on road counters at entrances to fishing access sites) in addition to the 370 commercial users. Reeder Creek has around 300 private users in addition to the 76 commercial users. Muddy Creek has an estimated 720 private users in addition to the average 33 commercial users. The BLM does not have road counters at the Fraser River or the Piney Creek sites, so the estimated private usage has not been established

While some private river users may wish for fewer people from the Pumphouse to State Bridge sites, the majority of people enjoy the current state of the river (Arizona State University Visitor

Study, 2007). Out of the 224 written comments received, three stated they would like to see less people on the river.

3.5.2 Wild and Scenic Rivers

Current Conditions: Congress enacted the Wild and Scenic Rivers Act (WSRA) (Public Law 90-542; 16 U.S.C. 1271 et seq.) on October 2, 1968, to address the need for a national system of river protection. The legislation was the outgrowth of a nationwide conservation movement that took place during the 1950s and 1960s, as well as a response to the numerous diversion projects and dams constructed along American waterways during the 1930s through 1960s. The WSRA stipulates that the free-flowing condition, water quality, and outstandingly remarkable values (ORVs) of selected waterways should be preserved and protected for the benefit and enjoyment of present and future generations.

As part of the Kremmling Resource Management Plan Revision, the BLM is required under the WSRA to inventory its rivers and streams to determine their eligibility for inclusion in the National Wild and Scenic River System (NWSRS). The study and designation of watercourses under the WSRA consists of a multi-step process: eligibility → suitability → congressional action. In order to be determined as eligible, they must be free-flowing and possess one or more ORV. The Kremmling Field Office and the adjacent Colorado River Valley Field Office completed a Wild and Scenic River Eligibility Report in 2007. The sections of the BLM-administered Colorado River proposed for use in this EA were identified as eligible for inclusion in the National Wild and Scenic River System. The ORVs for the segments include recreational floatboating, recreational fishing, wildlife, historic, and recreational scenic driving. The tentative classification for the segment is recreational. This tentative classification refers to the degree of development along the river rather than the amount of recreation on these stretches of river. According to the NWSRS (1968), “recreational river areas are those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.”

In 2011, a Wild and Scenic River Suitability Report was completed. It was determined that these sections (from Gore Canyon to Pumphouse and from Pumphouse to State Bridge) are suitable for inclusion in the NWSRS. In the Resource Management Plan Revision, there are four different alternatives which range from selecting all sections to no sections of river that were included in the original eligibility report to become classified as suitable or allowing a stakeholder group to manage the river to protect the ORVs.

The final determinations for the Upper Colorado River in the Kremmling planning area would be included in the Record of Decision for the Kremmling Field Office Resource Management Plan Revision, which would become effective when signed at the end of the revision process, approximately a year from now.

No Action

Direct and Indirect Effects: Under the no action alternative, permits would not be issued or renewed. This would have a negative effect on the ORVs for the Upper Colorado River. Two of the ORVs for the Gore Canyon section are fishing and floatboating. Approximately, 30,000-40,000 visitors to the area would not be able to do these activities due to lack of experience, knowledge of the recreational opportunity and/or equipment. The public has relied on commercial outfitters for these opportunities for decades.

Cumulative Effects:

Not allowing new permits or renewing existing permits on the Upper Colorado River from Gore Canyon to State Bridge would decrease the opportunities for floatboating and fishing on eligible river segments in this part of Colorado. There is currently only one designated Wild and Scenic River in Colorado. Many other rivers are currently being studied for eligibility and suitability.

Proposed Action

Direct and Indirect Effects: The action of renewing these permits would have no effect on the free-flowing nature of the segments, its water quality, or its ORVs. When the WSR eligibility and suitability reports were conducted, these outfitters had current permits. The permittees would be monitored to make sure that they were not causing any actions that would cause the tentative classification of “recreation” to change. If one or more permittees was found to be causing actions that downgrade the tentative classification, they would be put on probation and/or have their permit revoked.

Cumulative Effects:

Allowing commercial permits on the Upper Colorado River from Gore Canyon to State Bridge would enhance 30,000-40,000 people’s experiences with eligible Wild and Scenic River sections.

CHAPTER 4 - CONSULTATION AND COORDINATION

4.1 LIST OF PREPARERS AND PARTICIPANTS

INTERDISCIPLINARY REVIEW

Name	Title	Area of Responsibility	Date Signed
Paula Belcher	Hydrologist	Air Quality; Surface and Ground Water Quality; Floodplains, Hydrology, and Water Rights; Soils; Wetlands and Riparian Zones	04/03/2012
Bill Wyatt	Archaeologist	Cultural Resources; Native American Religious Concerns; Paleontological Resources; Fire	01/17/2012
Zach Hughes	Natural Resource Specialist	Invasive, Non-Native Species;;	03/30/2012
Cynthia Landing	Rangeland Management Specialist	Vegetation, Livestock Grazing	03/29/2012
Megan McGuire	Wildlife Biologist	Areas of Critical Environmental Concern; Special Status Plant and Animal Species Migratory Birds; Terrestrial and Aquatic Wildlife	03/28/2012
Kelly Elliott	Natural Resource Specialist	Hazardous or Solid Wastes	03/21/2012
John Monkouski	Outdoor Recreation Planner	Wilderness; Noise and Access and Transportation	03/28/2012
Kenneth Belcher	Forester	Forest Management	04/03/2012
Kelly Elliott	Natural Resource Specialist	Geology and Minerals	03/21/2012
Annie Sperandio	Realty Specialist	Realty	04/13/2012
Hannah Schechter	Outdoor Recreation Planner	Project Lead – Document Preparer, Visual Resources, Recreation, Wild and Scenic	03/14/2012
Susan Cassel	Planning & Environmental Coordinator	NEPA Compliance	4/27/2012

4.2 TRIBES, INDIVIDUALS, ORGANIZATIONS, OR AGENCIES CONSULTED

Gary Hayes, Chairman
Ute Mountain Ute Tribe
P O Box 189
Towaoc, Colorado 81334

Irene Cuch, Chairman
Uintah & Ouray Tribal Business Center
P O Box 190
Fort Duchesne, Utah 84026

Pearl Casias, Chairman
Southern Ute Indian Tribe
P O Box 737
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Jim Shakespeare, Chairman
Northern Arapaho Business Council
P O Box 396
Fort Washakie, Wyoming 82514

Carol Harvey, Executive Secretary
Colorado Commission on Indian Affairs
130 State Capitol
Denver, Colorado 80203

Terry Knight, Sr., THPO Director
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Betsy Chapoose, Director
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Wilford Ferris, THPO
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Mike Lajeunesse, Chairman
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Darlene Conrad, THPO Director
Northern Arapaho Tribe
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Fort Washakie, Wyoming 82514

Robert Goggles, NAGPRA Rep.
Northern Arapaho Tribe
328 Seventeen Mile Road
Arapaho, Wyoming 82510

CHAPTER 5 - REFERENCES

United States. Bureau of Land Management. 1988. H-1790-1 National Environmental Policy Handbook. Washington, D.C.

United States. Bureau of Land Management. 2011. Final Wild and Scenic River Suitability Report. Kremmling and Colorado River Valley Field Office, Colorado.

United States. Bureau of Land Management. 1984. Kremmling Resource Area Resource Management Plan and Record of Decision. Craig District Office. Kremmling, Colorado.



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
KREMMLING FIELD OFFICE



FINDING OF NO SIGNIFICANT IMPACT

Commercial River Special Recreation Permits **DOI-BLM-LLCONO2000 2012-018-EA**

Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

BACKGROUND

This Environmental Assessment (EA) has been prepared by the BLM to analyze public demand for services provided by commercial outfitters and guides related to river operations including: floatboating, fishing, shuttle services, and photography. Currently, 59 permittees are authorized for commercial river related operations on the Upper Colorado River, Muddy Creek, Fraser River, and Piney Creek. Outfitting activities are an essential tourism support service that assists visitors on public lands. Commercial outfitters play an important role in facilitating safe public use and enjoyment of recreational activities. Visitors who engage the services of river related outfitters include first time visitors to the area as well as repeat customers. Many of them are from out of state and are not familiar with river conditions, access, and/or climate. Most visitors do not have the equipment needed to participate in the outdoor recreation activities which they seek. In turn, the use of public land is vital to river permittee operations and the enjoyment of their clients.

Special Recreation Permits (SRPs) are issued to applicants who fulfill application requirements under current BLM policy and guidelines set by the Northwest District.

In 2009, a Wild and Scenic River Eligibility Report was conducted for the BLM Kremmling Field Office Resource Management Plan (RMP) Revision. The primary outstandingly remarkable value for the Upper Colorado River from Gore Canyon to State Bridge is recreational (floatboating, fishing, and scenic driving). The segment may be determined suitable in the final Record of Decision for the BLM Kremmling Field Office RMP, which is expected to be completed in 2013. As an eligible stream segment, the BLM is prevented from taking any actions that would diminish the free-flowing nature, outstandingly remarkable values, and water quality of the subject segment.

The Bureau of Land Management prepared a Programmatic Environmental Assessment which analyzed the effects of river related SRPs within a -acre area around Kremmling, Colorado. The EA considered a range of alternatives from zero commercial users to 50,000 commercial users. The EA was made available for a 30-day public review on May 21, 2010. One comment was received.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the Commercial River Special Recreation Permits decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. *Impacts that may be both beneficial and adverse.* Commercial outfitters provide a high quality service that many people cannot provide for themselves. The majority of the commercial users are from outside of Grand County and even tourists from outside of the State. Most visitors who use commercial services do not have access to equipment or knowledge for floatboating, fishing, shuttling, or photography. Commercial outfitters are natural resource educators for the general public. They are trained in Leave No Trace ethics and River Etiquette and teach their customers about these philosophies as well as public land use ethics. Not permitting these outfitters would have an adverse impact on the visitors, rafting and fishing companies, and shuttle and photography companies. These companies would most likely be put out of business and the rafting and fishing companies would be adversely impacted without their services.

There would be some adverse impacts to resources just from the additional use of commercial visitors. Stipulations would assist in minimizing these impacts and if a company is not adhering to the stipulations, their permit would be put on probation. If the issue is not corrected within a year, the permit would be revoked.

2. *The degree to which the proposed action affects public health and safety.* The proposed action has stipulations that protect public health and safety on public lands.

3. *Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* The Upper Colorado River Special Recreation Management Area has two segments within the Wild and Scenic Suitability Report completed in 2011.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* The effects of the proposed action on the quality of the human environment are not considered highly controversial.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* Floatboating, fishing, shuttling, and photographing have taken place in the area for over 20 years. The commercial day use has fluctuated between 30,000 and 40,000 people since 1991. The effects on the human environment from the proposed action are known and do not involve unique or unknown risks.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The proposed action would not establish a precedent for the future, nor does it represent a decision in principle about

future considerations. This EA included stipulations which allow for the BLM to cancel the Special Recreation Permits if adherence to BLM policies are not being met.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* There are no significant cumulative effects on the environment, either when combined with the effects created by past and concurrent projects, or when combined with the effects from natural changes taking place in the environment or from reasonably foreseeable future projects.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.* The proposed action would not adversely affect any districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.* The project would not adversely affect any sensitive, threatened, endangered or proposed for listing species.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* The proposed action does not violate Federal, State, and local laws or requirements for the protection of the environment.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the EA, and all other information available to me, it is my determination that: 1) the implementation of the Proposed Action will not have significant environmental impacts beyond those already addressed in the "Record of Decision and Resource Management Plan," (1984/1999); (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) the Proposed Action does not constitute a major Federal action having a significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR '1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

Dorothea Boothe
Acting Field Manager, BLM Kremmling Field Office

Date



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
KREMMLING FIELD OFFICE



DECISION RECORD
Commercial River Special Recreation Permits
DOI-BLM-LLCONO2000-2012-018-EA

DECISION: It is my decision to authorize the Proposed Action as described in the attached EA.

The BLM will issue Special Recreation Permits for commercial recreation operations (i.e., floatboating, fishing, shuttling vehicles, and photography) annually (up to 10 years). All commercial operations will be from .5 to four days for a single trip not earlier than March and ending not later than November.

FLOATBOATING will occur on approximately 20 miles of the Colorado River from the Confluence Recreation Area to the State Bridge Landing. Floatboating includes rafts, kayaks, stand-up paddle boards, inflatable kayaks, etc.

FISHING will occur on approximately 15 miles of the Colorado River for fishing boats (from the Pumphouse to the State Bridge sites) and approximately 23 miles of the Colorado River for wade fishing (Sunset Fishing Access, Powers Fishing Access, Reeder Creek Fishing Access, Barger Gulch Fishing Access, Highway 9 Fishing Access, and from up river of Pumphouse to the State Bridge). Wade fishing will also occur on 2 miles of Muddy Creek, 1.5 miles of the Fraser River, and 2.5 miles of the Piney Creek. Wade fishing will be in the rivers, streams, and along the banks, etc. SHUTTTLING will occur on Trough Road (Grand County Road 1 and Eagle County Road 11), Pumphouse Road, and Radium Road.

PHOTOGRAPHY will occur at the Warm Springs. The photographer will hike from Radium Road to the Warm Springs on an existing trail.

Design Features of the Proposed Action:

-The BLM would inspect disturbed areas along the Colorado River, Fraser River, Muddy Creek, Piney Creek, and Reeder Creek for noxious weeds during the commercial river use timeframe. If noxious weeds are found, it is the responsibility of the BLM to treat the weed infestations.

-The permittee would practice the TREAD LIGHTLY and LEAVE NO TRACE land ethics and inform their clients about these practices and ensure that they follow them.

- All trash produced on commercial trips would be packed out. Trash cannot be deposited in BLM trash receptacles at the Pumphouse and Radium Recreation areas.

Campsites-

- A. Camps may be set up for no longer than necessary, and no earlier than five days prior to the first day of use authorized and must be removed within five days after the

authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.

- B. Camps would be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible would be located out of sight of major trails.
- C. All campsites and temporary improvements would be as described in the approved operating plan.
- D. All campsite facilities including but not limited to tents, latrines, livestock control facilities, would be located at least 200 feet from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.
- E. All campsites must be approved prior to use. Clearances may be required, such as inventories for cultural resources and/or for threatened or endangered species.
- F. All overnight trips would carry a portable toilet system, either a washable, reusable system or an EPA-approved bag system. All solid human waste would be packed out.

Campfires-

- A. All overnight trips would carry and use a firepan. All fire ash would be packed out.
- B. Campfires would be completely extinguished when left unattended. The permittee is responsible for all fires started by him/herself, employees, or clients, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.
- C. An axe, shovel, water bucket or extinguisher for fire control would be available at each campfire.
- D. Wildfire caused by the permitted operation would be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be in effect.

Resource Protection-

- A. Aesthetics: Permittee would protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted areas to acceptable standards of repair, orderliness, and cleanliness.
- B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area would be left in a natural state.

- C. Trash Disposal: Camps and other permitted areas would be regularly cleaned and no trash or litter shall be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire would be packed out. Trash would not be buried on public land.
- D. Waste or by-products of any kind would not be discharged into any stream, reservoir, lake or pond.
- E. Soils/Vegetation: Permittee and their customers would be restricted to using established trails, stream crossings, or river access points where they are available. Guides and their clients would avoid walking the downhill side of the private irrigation ditches, especially at the Sunset Fishing Access.
- F. Vegetation Damage/Removal: All operations would be conducted in a manner which prevents damage to or loss of vegetation cover. Cutting, clearing or defacing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason would require specific advance authorization. When tree cutting is authorized, stumps would be left no higher than six inches above ground level and slash would be lopped and scattered. A separate permit is required for removal and transportation of woodland/tree products from public land.
- G. Firewood Cutting: All firewood for commercial overnight trips must be brought to the river. No collection of dead, down, or drift wood is permitted.
- H. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities, or any other property found on public land would not be damaged, destroyed, defaced, removed, or disturbed.
- I. Cultural Resources: All persons associated with operations under this permit must be informed that any objects or sites of cultural, paleontological, and scientific interest, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed or disturbed. If in connection with operations under this permit any of the above resources are discovered, the permittee would immediately stop operations in the immediate area of the discovery, protect such resources, and notify the BLM authorized officer of the discovery. The immediate area of the discovery must be protected until the operator is notified in writing to proceed by the authorized officer.
- J. Permittee is responsible for knowing where Public Land boundaries are and the restrictions that may apply to an area of operation within these boundaries. Maps and information concerning restrictions are available at the local BLM Field Office.
- K. At annual BLM/Outfitter meetings, and attached to the permit should be information regarding:

- The use of established fish handling protocols designed to minimize stress associated with the playing of fish, removal of hooks, and release of fish back into the water.
- Importance of foregoing fishing activities in the late afternoon or when water temperatures exceed 65 degrees Fahrenheit to reduce stress and post handling mortality.
- Aquatic invasive species and suggestions on how to minimize the spread of these species via proper cleaning and disinfecting procedures. Recommendations that equipment be cleaned and disinfected between uses particularly if moving to new water bodies.

This decision is contingent on meeting all mitigation measures and monitoring requirements listed below.

- Every 5 years, site conditions will be reviewed as well as the number of commercial users on the Upper Colorado River, Piney Creek, Fraser River, Muddy Creek, and Reeder Creek.

PUBLIC INVOLVEMENT:

Internal scoping was announced for the project on December 5, 2012, via email to the ID Team. The EA was available for a formal 30-day public comment period posted on the BLM Kremmling Field Office's public website. One comment letter was received from a resident living adjacent to the project site.

Comment:

I support these as a homeowner in Grand County. The access to the public and the business and tax revenue locally is essential.

This office completed an Environmental Assessment and reached a Finding of No Significant Impact.

RATIONALE: One public comment was received for this project. Based on information in the EA, the project record, and consultation with my staff, I have decided to approve the proposed action as described in the EA. The project is not expected to adversely impact any resources.

MITIGATION MEASURES\MONITORING:

- Every 5 years, site conditions will be reviewed as well as number of commercial users on the Upper Colorado River, Piney Creek, Fraser River, Muddy Creek, and Reeder Creek.

PROTEST/APPEALS: This decision shall take effect immediately upon the date it is signed by the Authorized Officer, and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at BLM Kremmling Field Office, 2103 E Park Ave. Kremmling, CO, 80459. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300,

Arlington, VA 22203, within 30 days after the notice of appeal is filed with the Authorized Officer.

NAME OF PREPARER: Hannah Schechter

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 5/21/2012

SIGNATURE OF AUTHORIZED OFFICIAL:

___/s/ Dorothea Boothe_____
Dorothea Boothe
Acting Field Manager, BLM Kremmling Field Office

DATE SIGNED: 5/21/12